STATE RANGER **ACT NOT VALID**

Chancellor Garvin Holds Law Unconstitutional, as It Applies to One County.

COUNTY JUDGE SUSTAINED

Litigation Growing Out of Recent Textile Strike Comes to End.

In a lengthy opinion delivered Satur-day morning Chancellor W. B. Garvin held the state rangers act unconstitu-tional on the grounds that it is in violation of Article XI, Section 8, of the constitution of the state of Tennessee, which requires that laws be uniform, while this law applies only to one

During the textile troubles of 1917 the governor sent to Hamilton county the state rangers, in charge of Maj. J. Perry Fyffe, to assist in patrolling the county and maintaining order. Under the act it is provided that the special state rangers and the posse commi-tatus called to the assistance of the regular state rangers are to be paid by the county in which the services are rendered. The regular state rangers and special state rangers were on duty in this county about two weeks. After said services were rendered the adju-tant-general of the state certified to the county judge of Hamilton county

the county judge of Hamilton county
the per diem and expenses incurred by
the special rangers for payment.

The county judge, on advice of Will
F. Chamlee, county attorney, refused
to pay this bill on the grounds that
the act was unconstitutional in that it was in violation of the constitution. Following this, Atty.-Gen. Frank M. Thompson brought suit in the chancery court against Will Cummings, county judge, seeking a mandamus compelling the county judge to issue his warrant on the county treasury in payment of the per diem and expenses incurred by the special rangers and the posse com-mitatus. To this bill the county judge filed a demurrer assigning twelve grounds, especially attacking the con-

stitutionality of the act.

The chancellor, in passing on this demurrer, however, held the act unconstitutional and dismissed the bill. The court held that the state rangers act was so drawn as not to apply to counties having a population of 190,000 according to the federal census of 1910. This being trre, it did not apply to the county of Shelby. No other county could ever share the benefits or come into the same class with Shelby county no matter if it has that census now or may hereafter have that population, and for this reason the court held that the act was clearly unconstitu-

The court stated that he realized the seriousness and the importance atquestion involving the constitutionality of an act of the legislature and that he did not feel that a trial court should ever hold an act unconstitu-tional unless it clearly appeared to be. but in this act it appeared to be so clearly unconstitutional he was constrained to so hold and dismiss the bill with the costs.

HEARING RECALL CASES BY COURT CIVIL APPEALS

Large Number of Chattanooga Cases on Docket to Be Called Monday.

Supreme Court Clerk Sam E. Cleage, of Knoxville, has sent out notice of a reassignment of the cases on the recall docket of the court of civil appeals, which is to be taken up Monday. The recall docket is made up of causes not ready to be heard when they

ere reached on the regular schedule. The counties from which causes are to be heard, and the order in which they come follow: Washington, Scott. Grainger, Knox. Bradley, Loudon, Blount, Roane, McMinn, Hamilton and Rhea. Twenty cases from Knox are

The Hamilton and other county dockets in which Chattanooga lawyers

Hamilton law—Chickamauga Quarry and Construction Co. vs. W. A. Pundt; Hamilton County vs. Extract Wool Hamilton law—Chickamauga Quarry and Construction Co. vs. W. A. Pundt; Hamilton County vs. Extract Wool and Merino Co.; John Drew vs. Ross-Meehan Foundry Co.; Charles C. Moore vs. L. C. Ashley; Ollie Potts vs. N., C. & St. L. Railway Co.; City of Chattanooga et al. vs. R. M. Childress; Mrs. Laura Williamson et al. vs. N., C. & St. L. Railway Co.; George Heggie vs. Elizabeth Hays; Chattanooga Gas Co. vs. F. J. Hoge, admr.; Chattanooga Warehouse and Cold Storage Co. vs. Hattie A. Anderson; C., N. O. & T. P. Railway Co. vs. C. C. Parris; Chattanooga Railway and Light Co. vs. Harriett Tallent; Samuel Ruch vs. Great Eastern Casualty Co. et al.; Josie A. Parks vs. D. W. Thomas; W. A. Compton vs. J. H. Bragg; Ollie Parks vs. N. C. & St. L. Railway Co.; Charles Coffey et al. vs. Rush W. Gifford; W. A. Ethridge vs. M. Green.

Hamilton equity—Clifton Hills Realty Improvement Co. vs. Belt Railway Co. et al.; L. N. Price Co. vs. Hamilton Produce Co.; Bettie Crownover vs. Sovereign Camp. W. O. W.; State of Tennessee, ex-rel., vs. Chattanooga Gas Co.; Ross-Mechan Foundry Co. vs. Nick Smith et al.; J. L. Quinn et vs. John R. Wilson et al.; Lookout

Gas Co.; Ross-Meenan Foundry Co. vs. Nick Smith et al.; J. L. Quinn et il. vs. John R. Wilson et al.; Lookout Mountain and Chickamauga Sightseeing Co. vs. Town of Lookout Mountain et al.; W. S. Allen and A. M. Allen vs. Florence Wakeman Hughes; Mountain City Mill Co. vs. Maryland Cascitte Co.

Rhea equilty—A. A. Hubbard et al. rs. Os ar Smyth et ux.
Bradley equilty—R. P. Sullivan vs.

M. J. Harper and wife.
London equity—J. F. Cook and R. M.
Johnston, exrs., vs. W. E. Huff et

Blount equity—Ludwig Offanze vs. Chilhowic Mountain Mining and Manu-facturing Co.; J. F. McNabb vs. F. M.

Boane equity-Solomon Contraction and Engineering Co. vs. Cumberland Stave and Heading Co.; T. R. Edwards, admr. vs. J. R. Edwards.

McMinn coulty-Frank A. Slack et al. vs. T. J. Johnson et al.

Conquer Flames at the Union Tanning Plant WILLIAM T. MEACHAM

Fire, thought to have originated from a large nile of huming slag, broke out in the shells of the Union word received by homefolks. He ta a member of the 17th infantry. His brother, George, a member of Rattery and did damage amounting to several and did damage amounting to several thousand dollars before it was finally to France.

extinguished Saturday morning While officials of the company gave no esti-

officials of the company gave no estimate of the loss it is understood that it will total about \$15,000.

At 8 o'clock Saturday me ming the fire was still burning, but had long since spent its fury owing to good work of fire companies who arrived on the scene shortly after the alarm was turned in. At first the firemen encountered only heavy smoke, but about 1 o'clock Saturday morning flames broke through the smoke and spread rapidly. The blaze proved a stubborn one to fight ind threatened the main plant of the cookout Extract works.

The sheds, where the fire broke out.
were filled with tan bark, and it was this property that succumbed to the tongues of fire that angrily attacked the dry material.

SENTENCED TO LIFE TERM

Motor Trucks May Soon Relieve Railraod Situation

Interurban motor trucks will relieve the railroads of short-haul freight during approaching freight crisis which W. C. Rowley, one-time freight agent of the Michigan Central railroad, foresees.

Agricultural production such as never has been dreamed of in this country is demanded for the year 1919. The ships which are to be built and will be launched during the coming summer will carry greater cargoes of American products abroad to our own soldiers in France and to the people of England and France particularly than ever before. This means that the railroads will have to carry greater volumes of goods to the Atlantic seaboard, and that they will be overwhelmed with work. The motor truck must come to the rescue and the Amerimeet the great transportation demand. The trucks have proven conclusively that they can relieve the railroads of much of the short-haul traffic, and that many kinds of freight can be transported on long hauls with great success and at a Rye paroled the Hamilton county pris-

reasonable cost. not merely a temporary affair," said Mr. Rowley, "The volume of goods to be moved will not grow less—there is every reason to believe that it will greatly in-crease. It is not so likely that there will

"If people lay in supplies of coal early through the summer the change will sim-ply be a different distribution and a better distribution. But, considering the in-creased amount of tonnage the railroads will be required to handle and the still inadequate terminals at various large ports on the Atlantic seaboard, there is likely to be another traffic tangle, and one that may be more disastrous than that of last winter.

proper application of motor trucks to this big problem certainly will relieve it as no other transportation could. I believe American business men will come to feel that it is their patriotic duty to relieve the railroads of as much work as possible, and will increase the efficiency of their own business concerned by having adequate fleets of motor trucks to handle their hauling problem to all points within a radius, say, of 100 miles from commerce unclogged."

In commenting on the above views, R. Hart, of the Hart garage, of this

"There is already considerable discussion in Chattanooga about putting on interurban trucks. I believe sooner or later there will be a line of trucks hauling freight to and from Dayton, to and from Cleveland, and possibly up the Sevalley. Some enterprising people will form a company to operate trucks carrying freight to these suburban towns. They can go out loaded with merchandise and bring in products

WOULD UNION FIREMEN TURN HOSE ON MOB?

No more will the firemen of Chattanooga disperse striking workmen by turning the hose on them, is the expectation of local union men today. The firemen are now union men themselves, and one good unionist doesn't douche another, they say.

Strong efforts have been made to the organization of the fire- practice. men. It is reported that a petition to firemen not to organize was presented to the boys, purporting to come from the firemen lieutenants. Yet when the men were asked to sign an agreement not to organize it was disand others in this section are inter-ested are as follows:

covered the agreement itself was not ested are as follows:

As a scotch in the wheels of the union progress, it is said, the firemen lieutenants were granted a \$5 per month raise some weeks ago, but the union developed on schedule, and a charter is expected today.

Some talk of removing the union leaders from their posts has so far come to nothing.

This firemen's organization has been in progress of formation over the country for some time. At this particular juncture Memphis is undergoing much the same throes as Chattanooga The quasi-public nature of fire-fight ing has been used as an argument against such combinations; but this is answered b vihe statement that nowadays all work is either public or quasi-

Lieutenants of the fire department have been granted a \$5 salary increase, effective immediately.

Swede Held Up as Spy Is Released by Police

C. Archer, aged 59, a spy suspect, came to the notice of Detectives Marion Perkins and W. C. Smith Friday afternoon. They picked him up on Market street. He had in his posses-sion a number of maps of cities and At police headquarters he was registered "Hold for U. S. A. After being examined, Archer was later released by Frank (Skinny) Shipp, a secret service man.

Sweden, has been traveling over the country repairing pipe organs.
Information from the detectives' of-fice Saturday was that Archer, claimthirty-two years, explained that he has been naturalized, but lost his papers and had applied for duplicate docu-

It developed that Archer, a native of

ents of naturalization.

He gave St. Louis as his home, but attendance at the wedding. said he was going to Sewanee, where he expected to reside. He had recommendations and showed up to be entirely in the clear.

He was using the maps to travel by. REPORTS FROM FRANCE

William Thomas Meacham, son of Fire, thought to have originated Mrs. R. C. Meacham, of Ridgedale has

FREEDOM FOR FRANK NABORS

Prison Gates Swing Ajar to Man Once in Shadow of Gallows.

Remembered Committing Double Tragedy.

Prison doors have been swung ajar for Frank Nabors, and for the first time in thirteen years he is in the home of his birth. Nabors was at the courthouse Friday and greeted the friends who remembered him before the night in which he ran amuck in Death's Alley in South Chattanooga, taking the lives of his sister, his brother-in-law and seriously wounding the wife of John Whaley, a crime which he claims he never remembered. He was tried in 1905, the year of the crime, and was convicted of murder in the first degree with mitigating cir-cumstances. However, the trial judge recognized the jury's plea for mercy and on Sept. 30, 1905, Judge S. D. Mc Reynolds sentenced Nabors to the state penitentiary for life. He has served thirteen years of that sentence,

he merely came over on a visit and would return to Nashville, where he has been offered a respectively. has been offered a responsible posi-tion in a large ice factory and trade which he learned in the state penitenbe a serious fuel shortage the coming tiary and of which he became espewinter, insamuch as the American people cially proficient. Prison officials say had a very serious lesson taught to that Nabors was their most valuable as well as perfect behaved prisoner. For the past ten years he has had charge of the penitentiary large ice

factory. murder of George Taylor and his wife, Tella Taylor, a sister to Nabors, and the seriously wounding of the wife of John Whaley in an alley in South Chattanooga, where all the principals resided, was perhaps Hamilton county's most wholesale taking of human lives. The alley in which the killing was done was afterwards called Death Alley and is so known today. Frank Nabors was a one-legged man, having lost his leg in a railroad ac-cident. For this accident he received cident. several thousand dollars, which proceeded to scatter to the four winds, and Nabors' possession of it was short lived. It was charged that the life of the principals in the double tragedy were not upon the high moral plane He broaded, it is said, over this fact considerably and on the night of the killing was drinking heavily. their plant, and to use all of their trucks they should have been, especially that all of the time, to keep the channels of of Mrs. Taylor, the sister of Nabors. killing was drinking heavily. Sitting in a little saloon together with Whaley, his brain afire and befuddled with mean whisky he remarked, "I'll end it all," and suiting his action to his words proceeded to his home, where he shot down his sister, his brotherin-law and dangerously wounded the wife of Whaley. The former two died and Mrs. Whaley, with four pistol ball wounds, lingered at a local hospital for many months before she recovered.

> and when arraigned in the criminal court announced there he had no lawyers. Then it was that two young lawyers had just moved to Hamilton county heretofore unknown even to the majority of the bar. Judge Mc-Reynolds seeing the two young barbut a slim chance to escape with his life in payment for his dastardly crime. The two young law dastardly risters in court appointed them to decrime. The two young lawyers were Frank S. Carden and D. B. Vance, Jr., then partners in a small if any law

The young men, it is stated, adopted the insanity plea, which they made out unusually strong in defense. It is stated that when Dr. J. W. McQuillan went on the stand to testify as an alienist he was asked one question contained 1,200 words. ever, it was when young Carden took his seat after the first speech of his career, and which was one of the most eloquent ever delivered in the courthouse, that for the first time court attendants and spectators began to doubt that Nabors would be convicted. It is for his client, whom he said was a hopeless cripple physically and un-balanced mentally, brought the tears to the eyes of the jury and others in the court room. However, Nabors was convicted, but with mitigating circumstances recommended by the jury.
Deputy Sheriff Charley Baker took Nabors to the penitentiary, which many said he would never leave, and until a few days ago Mr. Baker has never ceased his efforts to assist Na-

MISS MAUD CLARK AND LAWRENCE RECTOR WED

bors in getting a pardon.

Popular Chattanooga Girl Mar ries Chief Field Clerk of Fort Oglethorpe.

At high noon Saturday Miss Mand Clark, a popular Chattanooga girl, and Lawrence Rector, chief field clerk at Fort Oglethorpe, were united in marriage at the home of the bride's parcents, Mr. and Mrs. J. E. Clark, on Vine street. Dr. E. E. Wiley, pastor of Centenary M. E. church, south, was the forms of while flour, which had grown to require the street of the continuous control of the propagative as eviding the second of the forms of while flour, which had grown to require the street of the continuous control of the continuous control of the control of th At high noon Saturday Miss Maud

The young couple received a num-phates so essential to the human system of beautiful presents, including out tem. glass, china and silver. The field clerks at Fort Oglethorpe present d them with a large chest of silver.

Only a few close friends of the bride and groom and relatives were in attendance at the wedding.

Only a few close friends of the few other earbies in minute quantitations of this marveious remedy are so confident of its success that ing to have been in the United States glass, china and silver. The field clerks

MISS MARSENA MOLSDALE invigorates it, thus serving as a re- sulphate, soliton sulphate, sodium

anooga, now of Cincinnatt.

The date of the wedding will be an

ounced later.
Miss Molsdale is a popular, attractive young Chattanooga girl and is a graduate of the 1914 class of the

several years ago, coming here from Knoxville, where he received his education. He is at present engaged in steel inspection work for the govern-ment in Cincinnati. After the wedding the young couple will reside in Cin-

COL. WATKINS QUALIFIES FOR THE STATE SENATE

House-Thirty More Days to Get in Race.

Col. Ed Watkins qualified today before the Hamilton county primary board as a candidate for the state senate, and J. O. Martin qualified for the lower house. This makes one can-didate for the democratic nomination for senator and two for the lower house, L. D. Miller having qualified on

Candidates for these offices have thirty days more in which to enter

DIPLOMAS AND MEDALS

to Serve Country-Ser. vice Flag Unveiled.

Twenty-seven young men received diplomas at the McCallie school clos-

Byron E. Browder, John Roper Burnett, Vaughan M. Caldwell, Thos. Burns Carroll, George H. Cornelson, Willis T. Guild, Wallace Haggard, Paul Heyman, Howard Hornsby, Gar-Paul Heyman, Howard Hornsby, Garnett Johnston, George Klumb, Robert Mcliwaine, Gordon McKeldin, John John W. Marshall, Henry Myers, William Norvell, Garland Orr, Ceeil Phillips, McDowel Richards, Edward Spears, Hubert Tallaferro, W. Renry Trotter, William Wheelock, Albert Williams, Marshall Wells, Robert Chery and Christian Herbert. Cherry and Christian Herbert.

The program opened with the invo-cation, pronounced by Rev. J. B. Phillips. Pollock Boyd represented the senior class. He had for the subject senior class. He had for the subject of his valedictory address, "Reminis-cence of the Seniors' Six Years at The address was characterized by literary eloquence and ora-

torical ease in delivery.

Dr. Edward J. Erwin, professor of English in the University of Mississippi, but formerly a member of the McCallie school faculty, awarded the school prizes. A gold medal was given to John Temple for being the best all-around man at the school. The senior Bible medal went to Memedal went to Wyatt French, A fountain pen was given Gordon Me-Kelden, of the senior class, for the best improvement in penmanship and

The unveiling of the service flag of back all of these things they have the school, with 140 names on it was thrown at me. I call it, not petty an impressive feature of the exercises. Jealousies, but work of dirty under-Another was the presentation of a handed, petty political enemies of my handsome wrist watch, from the sen- father, Nabors was arrested and the follow-of the faculty, who leaves soon to the draft as you well know I was

the evening by Coleman. The commencement address was delivered by Dr. Henry Louis Smith, president of Washington and Lee university, He took for his subject "Expanding Life," and held the closest attention of his audience throughout the even-

PATROL DRIVER HYATT **GOES TO VISIT KERN**

Patrol Driver Hyatt, of the local police department, will have an oppor-tunity to see Capt. Kenneth Kern and his provost guard in action at Spartan-called a slacker (which I am not). I'm burg, S. C. Hyatt has been summoned to appear there as a witness in the case of Malcolm Almond, an alleged deserter. Almond was recently arrested here by Officer Hyatt on a charge of deserting from Fort Ogiethorpe. According to the officer, the accused soldier had in his possession a forged pass. Almond, the reporter said Mr. Carden in his plea for mercy a forged pass. Almond, the reporter well as on land. was informed, escaped from Fort Ogle-thorpe, but was captured at Spartan-world, I am, very truly yours. THOS. R. CLARK. burg by Capt, Kern's men.

THOMAS CLARK SCORES **POLITICAL ENEMIES**

Chattanooga High school.

Mr. Nelson resided in Chattanooga East Chattanooga Youth Resents Slacker Charge in Heated Letter.

A letter wringing with patriotism and his desire to assist in every possible manner the winning of the war for his country and reputing as unqualifiedly false any accusation he at any time ever attempted to dodge the draft has been received by County Physician Dr. B. A. Deakins from Served Thirteen Years-Never J. O. Martin Will Run for Lower Thomas R. Clark, who is now employed at Mobile in the government shipyards. The writer says that while he loves his work as chief timekeeper he is anxious to join the navy and would love to, if his health permitted. He charges in the letter that the notoriety given his case is based upon the worst kind of political intrigue brought about by his father's personal enemies.
It will be remembered that young Clark and his brother were pronounced physically unfit by Dr. Deakins, who has always been the family physician, and they then secured posi-tions in the shipyards. Several days ago they were called and Thomas R. Clar kwas again pronounced physically unfit and he immediately returned to his position and Saturday morning AWARDED AT M'CALLIE to his position and the following letter from him: Member Faculty Leaves Soon Dr. B. A. Deakins, Chattanooga,

Tenn. Dear Sir-Have just finished reading

an article in the Chattanooga Times dated May 28. I don't see why the newspapers take such pleasure in giving us all the notoriety over such an affair. They speak of my being tired of working in a shipyard. No; that is not wy I want to join the navy. I love the work in our shipyards. I been the chief timekeeper for the past nine months and I'm proud to say that every one of the thousand men I have charge of are my friends. It is not baby play to keep time for a ship and respect of each and every one; it's work, hard work. Many and many a day I've set at my desk, directing and guiding the affairs of my department from 6:3 0a.m. until mid-night with only thirty minutes off for dinner and supper. The time I was called to Chattanooga (about two weeks ago) I spent the last two hours in my office and during that time representatives of the men on the yard. the various unions, came in to see to tell me goodbye and that they wanted me to know that every man on that yard was my friend. How did. and every one white and their words were worth more than all else to me. And when I came back many and many a one, black and white, shook me by the hand and said welcome we're glad you're back. These know me. They know I work men know me. night and day for them, the company and for the emergency fleet corpora-I've never balked at a piece of The | hard work yet and never wil. when I pick u pthe papers published in my home town and read the articles they publish about Tom and I-well it's enough to make any man's blood boil. I can truthfully say that I never stoped to underhanded tricks in my one to Allen Kelly of the junior class life, and I never will, but the time is for the same honor. coming when they will have to take back all of these things they have

I never entered a shipyard to escape "I would like to see The News take a stand on this question and advecate the use of trucks for short hauls to relieve the congested condition of the railroads.

In ever entered a shippard to escape the draft as you well know I was serve his country. Encene Tatum, a member of the McCallie school alumning agreement to the first draft began and had to some home to the first call. I was thrown out and consequently returned to me. that I was not eligible for army serv ice? Why did I give up my home and friends to go to a strange town where I had no friends to work? Why didn't I stay in Chattanooga, where I could have had an easy job and a good time? Instead I came back to the shipyard to give the government my services in the great shipbuilding program to

clp make it a success.

What thanks have I got for all my The friendship of a thousand honest, hard-working men and a black eye and blasted reputation by rotten bunch of petty politicians in my

Again I repeat, I'm not tired of my work in the shipyard, but I'm tired of

Wishing you all the success in the

Eating "War Bread" Will Increase Average Human Life By Ten Years

"Hooverized Flour" Contains the Elements Which Made Possible the Blood and Tissue of the Prehistoric "Iron Man."

many people bewall the fact that they are obliged to eat what is commonly officiating minister, and the double- in popularity as civilization advanced its stages, lacked the iron and sol-

attendance at the wedding.

Mrs. Rector is the only daughter of it failed to properly nourish the blood.

Mr. and Mrs. Clark, and is popular among a host of friends.

Mr. Rector came here from Chicago will strongthen the entire system and it is no sense a patent mediate. will strongthen the entire system and the strongthen the entire system and thin the strongthen the entire system and thin the strongthen the entire system and the entire system

MISS MARSENA MULSDALE

TO WED F. T. L. NELSON

Mr. and Mrs. J. Lewis Moladale announce the engagement and appropriate their system and thus provening marriage of their dearlier. Marsena M. Moladale, to Prederick the marrow from split bones and was the marrow from split bones and was those for Chattanoga and vicinity.—

Involved in those serving as a remarked and free suphate, solding and free suphate acid and free suphate, solding and free suphate, solding and free suphate, solding and free suphate, solding and free suphate acid and free suphate acid and free suphate acid and free suphate acid and free suphate acid.

Acid from Mineral is on sale by any progressive droughest in the United States. Commission of the marrow from split bones and was the first table acid.

Theodore is Nollon and free suphate acid and free suphate acid.

Acid from Mineral is on sale by any progressive droughest in the United States. Commission of the marrow from split bones and was the first table acid and free suphate acid.

Acid from Mineral is on sale by any progressive droughest in the United States. Commission of the marrow from split bones and was the marrow from sp Theodore L Nelson, formerly of Chat. content to make his repast on black, I (Adv.)

Washington, D. C., May.-White | whole-wheat bread such as would choke even a German hussar when his luck with a hand-thrown cudget Ruled to land his four-foots I prey. But to these fastidious-palated proole who would avoid the excessive use of "war bread" but still want the red. and health of speh blood of the prehistoric "fron man" Equally few if is recommended that they take, in more convenient form, a purely organ that is called Acid fron Mineral. others are sported imitations -a

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